

NEWS from the T&I DEMOCRATS

Committee on Transportation and Infrastructure, Democratic Caucus

U.S. House of Representatives, 2163 Rayburn HOB, Washington, DC 20515

www.house.gov/transportation_democrats

For Immediate Release, Wednesday, May 10, 2006

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Oberstar: ‘Good Samaritan’ Bill Wrong Approach to Mine Cleanup

WASHINGTON—Rep. James L. Oberstar (Minn.), Ranking Democratic Member on the House Transportation and Infrastructure Committee, today released the following statement in response to the Administration’s proposed program to waive Clean Water regulations for the clean up of abandoned mines.

The Administration’s proposed legislation creates a wholly new program at inactive or abandoned mine sites with a complete exemption from the Federal Water Pollution Control Act (Clean Water Act) and the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund).

While the concept of encouraging voluntary efforts is often referred to as “Good Samaritan”, the Administration’s proposal completely misses the opportunity to do something positive for the environment, choosing instead to create unnecessary waivers of environmental laws, and handing out favors to the mining industry.

Good Samaritan legislation to encourage voluntary efforts to improve water quality has been under discussion for some 15 years. The issue has always been how to create sufficient flexibility within the Clean Water Act to improve water quality, but still not burden parties not otherwise responsible for the pollution.

The Committee on Transportation and Infrastructure has reviewed this issue over several Congresses, and the record clearly indicates that a targeted amendment to the permitting standards of the Clean Water Act would be the most effective method of encouraging voluntary efforts to improve water quality. This position is completely consistent with the applicable policy resolution of the Western Governors Association.

Instead, the Administration chooses to create a new program outside of the Clean Water Act, with no structure, and with no implementation process.

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Instead of creating a process to comply with the Clean Water Act, the Administration bill waives it.

Instead of adequately funding Clean Water Act programs to aid states in addressing polluted waters, the Administration has cut funding by 50% over the past 4 years.

Instead of adequately funding the Superfund removal and remedial programs through reinstating the Superfund taxes and restoring the polluter-pay principle, the Administration waives Superfund.

Instead of requiring Federal land management agencies to clean up pollution from their property, the Administration waives environmental laws for the mining industry.

Instead of reforming mining laws, the Administration creates new opportunities for the mining industry to benefit financially through mineral extraction while waiving environmental laws.

The bill even waives the Clean Water Act and Superfund for parties that are currently responsible for addressing pollution on their property.

The Committee on Transportation and Infrastructure should focus its efforts on a targeted amendment to the Clean Water Act, not on the Administration's bill and its broad waivers and loopholes.

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